

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

LIANA C. ROBERTS, an individual,

Plaintiff,

v.

NEW WORLD NAIL SUPPLY LLC, a
Pennsylvania Limited Liability Corporation,
and
QUANG THANG CHAU and
MEI CUI YE, ANDY NGUYEN,
individually

Defendants.

Case:

Assigned to:

Referral Judge:

Filed:

Steven Hays (P53786)
Kristopher K. Hulliberger (P66903)
Howard and Howard Attorneys PLLC
450 W. 4th Street
Royal Oak, MI 48067
(248) 723-0453

Attorneys for Plaintiff

COMPLAINT AND DEMAND FOR JURY TRIAL

Plaintiff, Liana C. Roberts, hereby complains, through its counsel, Howard and Howard Attorneys PLLC of Defendants, New World Nail Supply, LLC, Quang Thang, Chau and Mei Cui Ye as follows:

NATURE OF ACTION

1. This is an action for patent infringement arising out of Defendants infringement of United States Patent Nos. 5,906,007 (“the ‘007 Patent”), and 7,882,714 (“the ‘714 Patent”), in violation of the patent laws of the United States, 35 U.S.C. §101 et seq. and further in particular, 35 U.S.C. §§ 271 and 281-285.

THE PARTIES

2. Liana C. Roberts, (“Roberts”), is an individual who resides in the State of Michigan and has a principal residence at 615 Windsor Run, Bloomfield Township, Michigan 48304 and is doing business in this district.

3. Upon information and belief, New World Nail Supply, LLC is a Pennsylvania Limited Liability Corporation having a principal address of 600 Washington Avenue, Unit 16, Philadelphia, PA 19147.

4. Upon information and belief, Quang Thang Chau is a principle of New World Nail Supply, LLC and has a principal address of 1487 Custom House SQ, Bensalem, PA, 19020.

5. Upon information and belief, Mei Cui Ye is a principle of New World Nail Supply, LLC and has a principal address of 1487 Custom House SQ, Bensalem, PA, 19020.

6. Upon information and belief, Andy Nguyen is a principle of New World Nail and Beauty Supply and has a principal address of 6161 N. Lawrence Street Philadelphia, PA 19120. New World Nail and Beauty Supply is a registered Fictitious Name in Pennsylvania. The other principles of New World Nail and Beauty Supply are Quang Thang Chau and Mei Cui Ye.

JURISDICTION AND VENUE

7. This action arises under the patent laws of the United States, Title 35 of the United States Code.

8. This Court has subject matter jurisdiction pursuant to 28 U.S.C. § 1331 and 1338(a).

9. Upon information and belief, this Court has personal jurisdiction over Defendants. Defendants have conducted and continue to conduct business in this judicial district purposefully and has committed acts of infringement in this judicial district.

10. Venue is proper in this district because Defendants reside within this district as provided in 28 U.S.C. §§ 1391(b) and 1400 (b).

COUNT I – PATENT INFRINGEMENT
Patent Infringement of United States Patent 5,906,007

11. Plaintiff hereby realleges the allegations contained in paragraphs 1 through 10 of the Complaint as though fully set forth herein.

12. The United States Patent and Trademark Office (“PTO”) duly and legally issued the ‘007 patent, entitled “Article of Footwear for Use in Relation to a Pedicure” to Liana Roberts on May 25, 1999.

13. Roberts is the owner of the ‘007 patent.

14. Upon information and belief, Defendants have been and still are infringing the ‘007 patent by selling and offering for sale footwear for use in relation to a pedicure embodying the patented invention without authority from Plaintiffs, and will continue to do so unless enjoined by this Court. One such infringing product is shown below:



15. On information and belief, Defendants had actual and/or constructive notice of the '007 patent.

16. On information and belief, Defendants infringement is willful.

17. Unless enjoined, Defendants will continue its unlawful and willful infringement of the '007 Patent.

COUNT II – PATENT INFRINGEMENT
Patent Infringement of United States Patent 7,882,714

18. Plaintiff hereby realleges the allegations contained in paragraphs 1 through 17 of the Complaint as though fully set forth herein.

19. The United States Patent and Trademark Office (“PTO”) duly and legally issued the ‘714 patent, entitled “Method of Manufacturing an Article of Footwear” to Liana Roberts on February 8, 2011.

20. Roberts is the owner of the ‘714 Patent.

21. Upon information and belief, Defendants have been and still are infringing the ‘714 patent by selling and offering for sale footwear for use in relation to a pedicure embodying the patented invention without authority from Plaintiffs, and will continue to do so unless enjoined by this Court. One such infringing product is shown below:



22. On information and belief, Defendants had actual and/or constructive notice of the '714 patent.

23. On information and belief, Defendants infringement is willful.

24. Unless enjoined, Defendants will continue its unlawful and willful infringement of the '714 patent.

RELIEF REQUESTED

WHEREFORE, Plaintiff, Liana C. Roberts, demands judgment as follows:

A. That this Court find that Defendants and those in privity therewith have infringed the '007 patent and the '714 patent;

B. That this Court enter a preliminary and permanent injunction to enjoin Defendants and their respective officers, agents, representatives, employees, and all others in concert or participation with them, directly or indirectly from infringing, inducing other to infringe, and contributing to the infringement of the '007 patent and the '714 patent.

C. That this Court award Plaintiff its costs, expenses and such other relief.

D. That this Court award Plaintiff damages adequate to compensate for Defendants infringement of the '007 patent and the '714 patent.

E. prejudgment interest and post judgment interest thereof for Defendant's infringing acts;

F. That this Court treble such award of damages pursuant to 35 U.S.C. § 284;

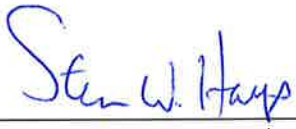
G. That this Court award damages pursuant to 35 U.S.C. § 285 and award Plaintiff its reasonable attorneys fees;

H. That this Court award Plaintiff its costs and expenses and such other relief as is deemed just and proper.

DEMAND FOR JURY TRIAL

Respectfully submitted,

Howard & Howard Attorneys PLLC

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Dated: February 11, 2015